IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 8583 of 2005

Between:

1 B.Md. Sharief, S/o.Maskeen Saheb, E-98672,
2 S.Moula Saheb, S/o.Jafar Saheb, E-102096,
3 G.Nagendra, S/o.Vemanna, E-102092
4 K.A.Varada rajulu, S/o.Vedanayakam, E-76143
5 A.Vijaya Ratnam, S/o.Adam, E-102094
6 S.Sab John, S/o.Tipu Saheb, E-102098
7 S.Abdul Rawoof, S/o.Abdul Sattar, E-102100
8 G.Gouse Mohiuddin, S/o.Mahaboob Sahed, E-93066
9 O.D.Prasad, S/o.China Kondaiah, E-102091
10 M.V.Subbaiah, S/o.Subbaiah, E-92137
11 J.subbaiah, S/o.Nagaiah, E-98213
12 P.Ramachandraiah, S/o.Narsaiah, E-98210
13 A.Veera Reddy, S/o.Yella Reddy E-102095
14 N.Nagaiah, S/o.Gopala Rao, E-90349

All are Shramiks working at Zonal Work shop, APSRTC, Kapada, and are R/o.Kadapa,
Kadapa Dist.

..... PETITIONER(S)

AND

1 The APSRTC, Rep. by its regional Manager, Kadapa Region, kadapa.
2 The APSRTC rep.by its Works Manager Zonal Work shop, Kadapa, Kadapa Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents herein in not granting the selection grade scale stagnation increment to the petitioners on completion of 12 years service is illegal, unjust and arbitrary, contrary to well established principles of law and as such set aside the same by directing the respondents herein to allow the stagnation increment to all the petitioners on completion of 12 years of service from the date of

their initial appointment irrespective of their transfer from one place to another and to pay the arrears by refixing the pay of all the petitioners forthwith and to pass such other order or orders.

Counsel for the Petitioner:MR.S.M.SUBHAN

Counsel for the Respondent Nos.1 and 2: MR.P.VINAYAKA SWAMY (SC FOR APSRTC)

The Court at the admission stage made the following O R D E R:

This writ petition is filed questioning the action of the respondents in not granting Special Grade/Stagnation Increments to the petitioners from the completion of 12 years service.

Learned counsel for the petitioners contended that the total service rendered by the petitioners in the Corporation has to be taken into consideration for granting Special Grade/Stagnation Increments.

Learned counsel for the respondent-Corporation contended that as the petitioners have not completed twelve years of service in one region, they are not entitled for grant of twelve years increment.

The purport of the decision reported by this Court in W.A.No.1301 of 2000 dated 29.10.2002, is that the entire service of the petitioner in the Corporation has to be taken into consideration for the purpose of giving the benefit of stagnation increments. Following the above judgment, the total service of the petitioners has to be taken into consideration for granting Special Grade/Stagnation Increments.

Accordingly, the writ petition is disposed of directing the respondents to consider the total service rendered by the petitioners in the Corporation for grant of Special Grade/Stagnation Increments within a period of two months from the date of receipt of a copy of this order. No order as to costs.

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(K.C.BHANU,J)

Dt:19th April, 2005

usd

To

1 The APSRTC, Rep. by its regional Manager, Kadapa Region, kadapa.
2 The APSRTC rep.by its Works Manager Zonal Work shop, Kadapa, Kadapa Dist.

3 Two CD copies.